

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

HAYWARD INDUSTRIES, INC.,

Plaintiff,

v.

BLUEWORKS CORPORATION,
BLUEWORKS INNOVATION
CORPORATION, NINGBO C.F.
ELECTRONIC TECH CO., LTD; NINGBO
YISHANG IMPORT AND EXPORT CO.,
LTD.

Defendants.

Civil Action No. 3:20-CV-710-MOC-DSC

**HAYWARD INDUSTRIES, INC.'S MOTION FOR LEAVE TO FILE SUPPLEMENT TO
MOTION TO SHOW CAUSE**

COMES NOW Plaintiff Hayward Industries, Inc. and moves this Honorable Court for leave to file a supplement to its currently pending Motion to Show Cause (Doc. No. 468). The proposed Supplement is attached hereto as **Exhibit 1**.

The Motion to Show Cause was fully ripe as of June 12, 2024. (Doc. Nos. 468, 470, 476). Since then, additional information has come to light regarding violations of the TRO and procedures for a Show Cause hearing. Hayward thus seeks to supplement its motion.

Motions to serve supplemental pleadings are “freely granted.” *Slay’s Restoration, LLC v. Wright Nat’l Flood Ins. Co.*, No. 4:15-CV-140, 2016 WL 4257039 (E.D.Va. August 10, 2016). The standard for supplementing a motion or brief appears to be “freely granted” by courts, as well. *See, e.g., United States v. Moxley*, 3 F. App’x 95 (4th Cir. 2001) (granting a motion to supplement an appellate brief).

Here, Hayward filed a Motion to Show Cause as to why Contempt Should Not Be Ordered based on violations of the Court's Temporary Restraining Order. Hayward's proposed supplement, attached hereto as Exhibit 1, is not intended to reargue previous points or add to its reply. Instead, it is based on additional information and communications that occurred subsequent to that motion becoming ripe.

Pursuant to LCvR 7.1(B), counsel for Hayward conferred with counsel for Ningbo C.F. (and the other defendants) on October 18, 2024, and counsel for Defendants sought their client's position that day. However, by the time this Motion was filed on October 19, 2024, Hayward had not heard Defendants' position.

Respectfully submitted this the 19th day of October, 2024,

s/ Russ Ferguson

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AI CERTIFICATION

1. No artificial intelligence was employed in doing the research for the preparation of this document, with the exception of such artificial intelligence embedded in the standard on-line legal research sources Westlaw, Lexus, FastCase, and Bloomberg;
2. Every statement and every citation to an authority contained in this document has been checked by an attorney in this case and/or a paralegal working at his/her direction (or the party making the filing if acting pro se) as to the accuracy of the proposition for which it is offered, and the citation to authority provided.

s/ Russ Ferguson
Russ Ferguson